

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

JONATHAN I. GEHRICH, ROBERT LUND,
COREY GOLDSTEIN, PAUL STEMPLER and
CARRIE COUSER, individually and on behalf
of all others similarly situated,

Plaintiffs,

v.

CHASE BANK USA, N.A., and JPMORGAN
CHASE BANK, N.A.,

Defendants.

NO. 1:12-CV-5510

Honorable Gary Feinerman

**DECLARATION OF BETH E. TERRELL IN SUPPORT OF CLASS COUNSEL'S
MOTION FOR AN AWARD OF FEES AND APPROVAL OF SERVICE AWARDS**

I, Beth E. Terrell, declare as follows:

1. I am a member of the law firm of Terrell Marshall Daudt & Willie PLLC ("TMDW"), counsel of record for Plaintiffs in this matter. I am admitted to practice before this Court and am a member in good standing of the bars of the states of Washington and California. I respectfully submit this declaration in support of Class Counsel's Motion for an Award of Fees and Approval of Service Awards. Except as otherwise noted, I have personal knowledge of the facts set forth in this declaration, and could testify competently to them if called upon to do so.

2. Last winter, I learned that approximately 7.1 million persons in the Settlement Class, as initially identified by Chase, inadvertently were not provided direct notice by U.S. Mail or E-mail as set forth in the Settlement Agreement and the Court's Preliminary Approval Order.

3. I also learned that Chase believed its records contain E-mail or postal addresses for 99.8% of these approximately 7.1 million persons in the Settlement Class to whom direct notice was not previously provided. This contact information had not been transmitted to the claims administrator for notice purposes. Thus, the parties decided to send supplemental notice to this group of Settlement Class members.

4. On July 8, 2015, I deposed a representative from Chase about the steps Chase took to identify the additional contact information. I took this deposition to ensure that the contact information Chase transmitted to the claims administrator was complete and that all Settlement Class members received notice. During the deposition, I learned that Chase originally queried only its live operating system to obtain names and addresses for identifiable accounts within the Collection Call and Alert Call Subclasses. When it was discovered contact information for about 7 million accounts was missing, Chase realized it needed to query its data warehouse as well as its live operating system. The live operating system contains data only for active or recently-closed accounts. The data warehouse contains information for accounts that have been inactive for a longer time period. Chase queried its data warehouse and located names and addresses for all but approximately 15,946 of the missing accounts. Chase transmitted this data to the claims administrator who then sent these Settlement Class members direct notice.

5. During the deposition, the Chase representative also informed me that Chase had made a de-duplication error when it originally calculated the size of the Collection Call Subclass. Accordingly, Chase reduced its estimate of the Collection Call Subclass from 19,859,245 to 18,370,250.

6. I understand that 314,829 claims have been submitted to date. I further understand that this total is preliminary only; some of these claims may be invalid. I understand GCG has conducted a preliminary analysis of 305,277 claims that it has processed to date and has concluded that 72,040 of claims received to date specify collection calls regarding a bank account; 118,197 claims received to date specify collection calls regarding a credit card; 77,056

claims received to date specify collection calls regarding both a bank account and a credit card; and 37,984 claims received to date indicate the call recipient did not have either a bank or credit card account with Chase.

7. The Settlement Agreement provides that cash awards will be calculated using a weighted “Award Unit” system. I understand that assuming all claims GCG has processed to date are valid, Settlement Class Members who received collection calls regarding a bank account will receive \$22.39 (one Award Unit). Settlement Class Members who received collection calls regarding a credit card will receive \$67.17 (three Award Units). Settlement Class Members who received collection calls regarding both a bank account and a credit card will receive \$89.56 (four Award Units). Settlement Class Members who received “wrong-party” calls or texts will receive \$67.17 (three Award Units).

I declare under penalty of perjury under the laws of the State of Washington and the United States that the foregoing is true and correct.

EXECUTED at Seattle, Washington, this 14th day of August, 2015.



Beth E. Terrell, *Admitted Pro Hac Vice*

CERTIFICATE OF SERVICE

I, Beth E. Terrell, hereby certify:

1. On August 14, 2015, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

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2. I further certify that on August 14, 2015, I mailed by United States Postal Service the foregoing to the following non CM/ECF participants:

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DATED this 14th day of August, 2015.

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By: /s/ Beth E. Terrell, Admitted Pro Hac Vice

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